

EXHIBIT 3

MEETING: **HOFFMAN ESTATES VILLAGE BOARD**
DATE: **DECEMBER 18, 2017**
PLACE: **COUNCIL CHAMBERS**
MUNICIPAL BUILDING COMPLEX
1900 HASSELL ROAD
HOFFMAN ESTATES, ILLINOIS

1. CALL TO ORDER:

Village President William McLeod called the meeting to order at 7:00 p.m. The Village Clerk called the roll. Trustees present: Gary Stanton, Michael Gaeta, Karen Arnet, Karen Mills, Anna Newell
A quorum was present.
Trustee Pilafas arrived at 7:25 p.m.

ADMINISTRATIVE PERSONNEL PRESENT:

J. Norris, Village Manager
D. O'Malley, Deputy Village Manager
A. Janura, Corporation Counsel
M. Koplin, Asst. Village Manager-Development Services
P. Fortunato, Acting Fire Chief
T. Bos, Police Chief
K. Kerr, Asst. Public Works Director
R. Musiala, Finance Director
F. Besenhoffer, IS Director
A. Marks, Asst. H&HS Director
P. Seger, HRM Director
K. Kramer, Economic Development Director
J. Djordjevic, Director of Operations, Mayor & Board

2. PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge was led by Trustee Stanton.

3. RECOGNITION OF AUDIENCE:

No one wished to be recognized.

4. APPROVAL OF MINUTES:

Motion by Trustee Gaeta, seconded by Trustee Arnet, to approve Item 4. Voice vote taken. All ayes.
Motion carried.

Approval of Minutes
Minutes from December 4, 2017.

5. CONSENT AGENDA/OMNIBUS VOTE:

Motion by Trustee Gaeta, seconded by Trustee Stanton, to approve Items 5.A. through 5.F. and 5.H. through 5.O. by omnibus vote. Voice vote taken. All ayes. Motion carried.

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Motion by Trustee Gaeta, seconded by Trustee Stanton, to approve Item 5.A.

5.A. Approval of Agenda

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Gaeta, seconded by Trustee Stanton, to approve Item 5.B.

5.B. Approval of the schedule of bills for December 18, 2017: \$9,881,585.95.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Gaeta, seconded by Trustee Stanton, to approve Item 5.C.

5.C. Request Board approval of Resolution No. 1651-2017 adopting a Policy Prohibiting Sexual Harassment for the Village of Hoffman Estates.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Gaeta, seconded by Trustee Stanton, to approve Item 5.D.

5.D. Request Board approval of Resolution No. 1652-2017 establishing fees for Police and Fire Department personnel (hireback rates).

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Gaeta, seconded by Trustee Stanton, to approve Item 5.E.

5.E. Request Board approval of 2018 Village Board and Standing Committee meeting schedule.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Gaeta, seconded by Trustee Stanton, to approve Item 5.F.

5.F. Request Board approval of request by the Hoffman Estates Park District for an extension of the Chino Park Intergovernmental Agreement to December 18, 2037.

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Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Gaeta, seconded by Trustee Mills, to approve Item 5.G. as amended.

5.G. Request Board approval of request by MR ACE, LLC d/b/a Hoffman Estates Ace, for approval of an Incentive Agreement for the Ace Hardware store in the Crossroads Commons Shopping Center.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Gaeta, seconded by Trustee Stanton, to approve Item 5.H.

5.H. Request Board approval of an amendment to the Purchase and Sale Agreement with SVAP Hoffman Plaza IV, L.P. for the sale of 75-85 E. Golf Road, retroactive to December 6, 2017.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Gaeta, seconded by Trustee Stanton, to approve Item 5.I.

5.I. Request Board approval of a contract extension for elevator inspection and plan review services to Elevator Inspection Service Co., Inc., Burr Ridge, IL.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Gaeta, seconded by Trustee Stanton, to approve Item 5.J.

5.J. Request Board authorization to: waive formal bidding; and award contract for purchase of a 2018 Ferrara Ignitor Pumper to Ferrara Fire Apparatus, Holden, LA, in an amount not to exceed \$587,000.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Gaeta, seconded by Trustee Stanton, to approve Item 5.K.

5.LK Request Board authorization to purchase excess property and liability insurance and excess workers' compensation insurance from Alliant Americas Brokerage Services.

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Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Gaeta, seconded by Trustee Stanton, to approve Item 5.L.

5.L. Request Board approval to enter into an agreement for Bond Counsel and possibly Disclosure Counsel legal services with Louis F. Cainkar, LTD for the upcoming bond refunding anticipated to take place in FY2018.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Gaeta, seconded by Trustee Stanton, to approve Item 5.M.

5.M. Request Board authorization to declare \$16,182,608.01 as the developer and taxing district allocation for tax levy year 2016 within the EDA Special Tax Allocation Fund, and direct the Treasurer to remit said funds to the developer and taxing districts per PA097-0636.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Gaeta, seconded by Trustee Stanton, to approve Item 5.N.

5.N. Request Board authorization to extend 2017 contract for 2018 contracted parkway tree trimming program to Winkler's Tree and Landscaping Inc., LaGrange, IL (low bid) in an amount not to exceed \$50,000.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Gaeta, seconded by Trustee Stanton, to approve Item 5.O.

5.O. Request Board authorization to: waive formal bidding; and purchase a portable message board through Tapco Inc., Brown Deer, WI, using the U.S. Communities contract discount, in an amount not to exceed \$17,644.35.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

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6. REPORTS:

6.A. President's Report

Great Citizen Award

Carl Baumert, Rick Quimette, Mark Wondolkowski, Dan Stopka, Phil Giacone, Antonio Garcia, Maral Abarahamian, Linda Scheck and Karen Arnet were awarded the Great Citizen Award for all of their efforts related to Shop with a Cop.

Certificate of Achievement

Sam Deveraux was awarded a Certificate of Achievement for winning a silver medal in Special Olympics.

Proclamation(s)

Trustee Newell read the following proclamation.

Motion by Trustee Gaeta, seconded by Trustee Arnet, to concur with the proclamation proclaiming Thursday, December 21, 2017 as Robert Markko Day. Voice vote taken. All ayes. Motion carried.

Mr. Markko was congratulated by the Board and accepted his proclamation.

Trustee Arnet read the following proclamation.

Motion by Trustee Mills, seconded by Trustee Gaeta, to concur with the proclamation proclaiming Saturday, December 30, 2017 as Carl Baumert Day. Voice vote taken. All ayes. Motion carried.

Lt. Baumert was congratulated by the Board and accepted his proclamation.

Trustee Mills read the following proclamation.

Motion by Trustee Gaeta, seconded by Trustee Mills, to concur with the proclamation proclaiming Saturday, December 30, 2017 as Harry Russmann Day. Voice vote taken. All ayes. Motion carried.

Chief Bos accepted the proclamation for Sergeant Russmann.

Trustee Gaeta read the following proclamation.

Motion by Trustee Arnet, seconded by Trustee Stanton, to concur with the proclamation proclaiming Tuesday, December 19, 2017 as John Bending Day. Voice vote taken. All ayes. Motion carried.

Chief Bos accepted the proclamation for Officer Bending.

Trustee Newell read the following proclamation.

Motion by Trustee Gaeta, seconded by Trustee Stanton, to concur with the proclamation proclaiming Friday, January 5, 2018 as Howard DeLord Day. Voice vote taken. All ayes. Motion carried.

Mr. DeLord accepted his proclamation and was congratulated by the Board.

Trustee Stanton read the following proclamation.

Motion by Trustee Gaeta, seconded by Trustee Mills, to concur with the proclamation proclaiming December 31, 2017 at 11:30 pm local time as Universal Hour of Peace. Voice vote taken. All ayes. Motion carried.

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Members from the School of Metaphysics were congratulated by the Board and accepted the proclamation.

Appointments

Motion by Trustee Stanton, seconded by Trustee Pilafas, to accept the appointment of Sohita Patel to the Planning & Zoning Commission. Voice vote taken. All ayes. Motion carried.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell, Pilafas

Nay:

Mayor McLeod voted aye.

Motion carried.

Mayor McLeod read a letter from a resident thanking PW Training Coordinator Jay Evans for assisting him when he was stranded. He stated that he attended the park district Skate with Santa and a reception for Declan Rustay.

6.B. Trustee Comments

Trustee Arnet stated that she attended the Skate with Santa.

Trustee Stanton stated that he attended the Windy City Bulls Hoffman Estates Appreciation Night, the Youth Commission art event and a meet and greet with JB Pritzker and NW suburban mayors.

Trustee Mills stated that she attended the Windy City Bulls night, the park district Breakfast with Santa and Winterfest, the reception for Declan, her granddaughter's violin debut, she wished everyone happy holidays and thanked staff for another good year.

Trustee Pilafas thanked staff for a good year and wished everyone a Merry Christmas and a Happy New Year.

Trustee Newell stated that she attended the Youth Commission art event, she sent her condolences to the Bergman family. She stated that she attended the Skate with Santa, congratulated Declan and wished everyone a safe and happy holiday.

Trustee Gaeta stated that he attended the Youth Commission art event, the Skate with Santa and he congratulated Declan on his achievements.

6. C. Village Manager's Report

Mr. Norris wished everyone happy holidays.

6. D. Village Clerk's Report

The Clerk stated that the timeframe for needing a passport to travel had been extended to October.

6.E. Treasurer's Report

Motion by Trustee Gaeta, seconded by Trustee Pilafas, to approve Item 6.E.

Mrs. Musiala stated that during the month of October 2017, for operating funds cash disbursements and transfers-out exceeded cash receipts and transfers-in by \$509,256, primarily due to general operating expenses. After including these receipts and disbursements, the balance of cash and investments for the operating funds is \$44.5 million.

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For the operating, Debt Service and Capital Projects funds, cash disbursements and transfers-out exceeded cash receipts and transfers-in by \$737,275, primarily due to general operating expenses.

For the Trust Funds, cash receipts and transfers-in exceeded cash disbursements and transfers-out by \$2.19 million, primarily due to investment activity in the Pension funds.

The total for cash and investments for all funds increased to \$233 million.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell, Pilafas

Nay:

Mayor McLeod voted aye.

Motion carried.

7. PLANNING & ZONING COMMISSION:

Motion by Trustee Gaeta, seconded by Trustee Stanton, to concur with the Planning & Zoning Commission's recommendation and deny the petitioners' request.

7.A. Request by Itasca Bank & Trust Co., Trust #12551 (owner) and Stonegate Properties, Inc. (applicant) for a variation under Section 9-3-8-M-10-e-(1) of the Zoning Code to permit a third (11 square foot) menu board sign and an additional ground sign (3 square foot speaker post) on the property located at 2061-2071 N. Barrington Road.

1. This site plan amendment shall only be valid if the Petitioner provides a legally binding off-site parking easement that is deemed acceptable to Village Corporation Counsel documenting the subject property's tenants have the right to use of the Northwest Corporate Centre parking spaces immediately adjacent to the east of the subject property. This may be in the form of a new off-site parking easement or an existing easement document accompanied by a legal opinion from an attorney or Title Company insurance confirming that such easement is valid for this purpose and for the duration of time Jimmy John's will occupy this property.

2. This approval is granted based on the petitioner's application materials submitted with this request or presented at the public meetings (along with any conditions of approval required by the Village). Parking and drive-thru data relied upon in this review are specific to the existing Starbucks operations (including a drive-thru facility), the existing Wholesome Health Pharmacy occupancy, and the proposed Jimmy John's use as defined in the application materials, therefore, any change in any tenant or operations in the building that differs from those included in this review shall require a new Site Plan Amendment review by the Village. This includes any changes to operations (such as an expanded food menu/service or hours of operation by any of the tenants) that will increase parking or drive thru demand beyond the current levels.

3. As part of any permit for the Jimmy John's unit, the petitioner shall submit a comprehensive wayfinding plan for the property that specifically provides guidance to drivers using the dual-purpose drive-thru and addresses any permitted off-site and rear parking that will serve tenants of the building. The plan shall be subject to review and approval by the Development Services Department and may include pavement striping and instructional/directional signage as allowed by the Village Sign Code.

4. All property maintenance violations on the subject property shall be corrected prior to issuance of any occupancy permit for the Jimmy John's space, or by December 31, 2017, whichever comes first.

5. All deliveries to each of the businesses in this building shall be managed so they do not impede parking or circulation on the site or on the adjacent roadways. This may require scheduling deliveries when all businesses are closed, limiting the size of delivery vehicles, or other measures, and this shall apply to all businesses in the building.

Roll Call:

Aye: Newell

Nay: Stanton, Gaeta, Arnet, Mills, Pilafas

Mayor McLeod voted aye.

Motion failed.

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Motion by Trustee Mills, seconded by Trustee Pilafas, to accept the new amendments.

Proposed revised site plan conditions;

A.1. This site plan amendment shall only be valid as long as the subject property's tenants have the documented legal right to use the Northwest Corporate Centre parking spaces immediately adjacent to the east of the subject property.

A.3. Prior to issuance of a tenant build-out permit for the Jimmy John's unit, the petitioner shall submit a comprehensive wayfinding plan for the property that specifically provides guidance to drivers using the dual-purpose drive-thru and address any permitted off-site and rear parking that will serve tenants of the building. The plan shall be subject to review and approval by the Village Board (through Planning, Building and Zoning Committee) and may include pavement striping and instructional/directional signage as allowed by the Village Sign Code.

A.4. All property maintenance violations on the subject property shall be corrected prior to issuance of any occupancy permit for the Jimmy John's space, or by January 31, 2018, whichever comes first.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell, Pilafas

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Stanton, seconded by Trustee Pilafas, to approve Item 7.A. as amended.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell, Pilafas

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Gaeta, to concur with the Planning & Zoning Commission's recommendation and deny the petitioners' request.

7.B. Request by Itasca Bank & Trust Co., Trust #12551 (owner) and Stonegate Properties, Inc. (applicant) for a variation under Section 9-3-8-M-10-e-(1) of the Zoning Code to permit a third (11 square foot) menu board sign and an additional ground sign (3 square foot speaker post) on the property located at 2061-2071 N. Barrington Road.

1. This sign variation is only valid in conjunction with a site plan approval to allow a second full service drive-thru restaurant in the southern unit of the building on this site. In the event the drive-thru restaurant business closes or vacates this unit and is not replaced by another identical use within 6 months, this variation shall automatically become void and the signs and equipment approved by this action shall be completely removed from the property.

2. No bollards are approved to be installed on the site. In the event the petitioner is concerned with a sign being potentially hit by vehicles, the sign shall be moved further from the drive aisle.

3. The sign shall be constructed per the size and location included in the petitioner's application materials submitted with this request.

4. In the event the property owner seeks any additional sign variation anywhere on this property, the owner shall be required to develop a Master Sign Plan for the property that encompasses all existing and proposed signage on the property, including conversion of all prior variations into the Master Sign Plan, so as to provide a comprehensive document governing the entire property. Upon approval of such a Master Sign Plan replacing prior variations, all prior variations shall become void.

Roll Call:

Aye: Newell

Nay: Stanton, Gaeta, Arnet, Mills, Pilafas

Mayor McLeod voted aye.

Motion failed.

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Motion by Trustee Pilafas, seconded by Trustee Mills, to approve Item 7.B.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Pilafas

Nay: Newell

Mayor McLeod voted nay.

Motion carried.

8. ADDITIONAL BUSINESS:

There were no Additional Business Items.

9. ADJOURNMENT:

Motion by Trustee Gaeta, seconded by Trustee Pilafas, to adjourn the meeting. Time: 7:45 p.m.

Roll Call:

Aye: Stanton, Gaeta, Arnet, Mills, Newell, Pilafas

Nay:

Mayor McLeod voted aye.

Motion carried.

Bev Romanoff
Village Clerk

Date Approved

The Village of Hoffman Estates complies with the Americans with Disabilities Act (ADA). For accessibility assistance, call the ADA Coordinator at 847/882-9100.